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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,031	05/11/2001	Aaron Kershenbaum	YOR920010421US1	8153

48813 7590 08/16/2005

LAW OFFICE OF IDO TUCHMAN (YOR)
69-60 108 STREET
SUITE 503
FOREST HILLS, NY 11375

EXAMINER

KIM, JUNG W

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 09/854,031	Applicant(s) KERSHENBAUM ET AL.	
Examiner Jung W. Kim	Art Unit 2132	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 June 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 22 June 2005. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

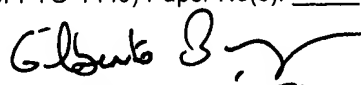
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-100.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER


11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


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Continuation of 5. Applicant's reply has overcome the following rejection(s): 112 rejections to claims 6, 7, 10, 20, 21, 24, 37, 38, 41, 64-69 and 73-80.

Continuation of 11. does NOT place the application in condition for allowance because: Regarding applicant's arguments that the Nyanchama and Schmidt references deal with completely different subject matters, examiner respectfully disagrees. As explained in the Final Office action dated 3/22/05, Nyanchama does not suggest the reference is narrowly defined for only network users and network administrators; rather, Nyanchama maintains the broader teaching. (see Nyanchama, section 1, 'Introduction', section 2.4, 'Authorization') Furthermore, Nyanchama directly ties role graphs with changes in privileges based on inheritance of an object oriented system, which is a unique property found in JAVA object instantiation within a flow of code execution as known to one of ordinary skill in the art; the example of maintaining access to salaries of employees and professors are explained in the context of privileges assigned to objects-"Professors is a subclass of Employees" (see Nyanchama, pg. 7, 2nd full paragraph and figure 1) Schmidt discloses the relationship between a data flow analysis with the programs abstract interpretation. Implicit in Schmidt is the teaching of program code into discrete parts as a means of devising analysis of the code (see Schmidt, Abstract). Such a procurement isolates a program into distinct transitions: the prior art of Nyanchama and Schmidt are relevant subject matters since management of access rights are expressed concerns in any task to access or handle secured objects as taught by Nyanchama; and the transitions defined by Schmidt identifies memory and object access according to data flow (see Schmidt, figure 1). The nexus of the two prior art lies in the well-known fact of JAVA processes: all processes executing JAVA code run as a specific user with privileges and restrictions to access libraries, other codes and resources. (see also admitted prior art in applicant's specification "Background of the Invention") Hence, the subject matter of Nyanchama and Schmidt are in fact related.

The amendments to the claims overcome the 112 rejections to those amended claims.

 8/10/05